

**Research Review  
Amsterdam Research Institute for Legal Studies  
2009-2015**

13 March 2017

Published under the authority of the Board of the University of Amsterdam by:

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## Preface

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As part of the research assessment exercise carried out at law schools in the Netherlands in 2016, the review committee was tasked by the board of the University of Amsterdam with the assessment of the research carried out within the Amsterdam Research Institute for Legal Studies (ARILS) during the period 2009-2015.

For that purpose, the university board put together a committee of renowned scholars from the Netherlands and abroad, many of whom had prior experience in similar assessment exercises. I was honoured that the board asked me to chair that committee.

The committee carried out preparatory work on the basis of the self-evaluation reports submitted by ARILS and its component research groups. During a very intense two-day site visit in November 2016, the committee had the opportunity to meet and discuss with many of the researchers at ARILS, from the leaders of the various groups, through the younger academics, all the way to the new generation of researchers now conducting PhD work. We also had two productive and cordial meetings with the management of ALS and ARILS. It is the warm and friendly atmosphere we experienced throughout the visit, together with the visible energy and commitment we observed, that led us to emphasise the need for the researchers to come closer together, in order to strengthen the 'ARILS culture' that we witnessed in spe. May those efforts be successful. On behalf of the committee, I want to thank all the ALS colleagues who participated in the assessment process, and wish them all the best in their respective research endeavours.

It was a privilege to be able to spend time with my colleagues Jeroen Chorus, Hans Micklitz, Peggy Radin, Jo Shaw and Jan Wouters. Were it not for our common task, a group like ours would not have been brought together, and we could not have enjoyed the conversations we did. This assessment did prove a blessing in disguise. Thank you for the time and energy you invested in the assessment, for some of you under difficult circumstances. Thank you to Annemarie Venemans, our secretary, for your support in steering us through the process.

Pierre Larouche  
Chairman of the Committee

# 1. Introduction

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## 1.1 Terms of reference for the assessment

The quality assessment of research in law is part of an assessment system as specified in the Standard Evaluation Protocol For Public Research Organisations of 2015 by the Association of Universities in The Netherlands (VSNU), the Netherlands Organisation for Scientific Research (NWO), and the Royal Netherlands Academy of Arts and Sciences (KNAW).

The review committee was asked to assess the quality and relevance to society of the research conducted by the Amsterdam Research Institute for Legal Studies (ARILS) – being the umbrella research institute of the Amsterdam Law School (ALS) of the University of Amsterdam – in the reference period 2009-2015, as well as its strategic targets and the extent to which it is equipped to achieve them.

Three main criteria are considered in the assessment: research quality, relevance to society, and viability. In addition to the criteria above, the assessment also considers two further aspects: PhD programs and research integrity. International trends and developments in science and society were taken into account in the analysis.

As reflected in the Terms of Reference for the assessment, ALS requested the committee to pay special attention to the faculty-level research policy, and in particular to the implementation of the Research Priority Area (RPA) policy of the University of Amsterdam, which led to the designation of three Research Priority Areas (RPAs: International Rule of Law, Private and Public European Law, Information Law), and to differentiation amongst ALS's research programmes, as will be seen further below.

This report describes findings, conclusions and recommendations of this external assessment of ARILS.

## 1.2 The Review Committee

The Board of the University of Amsterdam has appointed the following members of the committee for the research review

- Prof. Pierre Larouche (chair)
- Justice Jeroen Chorus
- Prof. Hans Micklitz
- Prof. Margaret Jane Radin
- Prof. Jo Shaw
- Prof. Jan Wouters

More detailed information about the members of the committee can be found in Appendix A. The Board of the University of Amsterdam has appointed dr. Annemarie Venemans as the committee secretary.

## 1.3 Independence

All members of the committee signed a declaration and disclosure form to safeguard that the panel members judge without bias, personal preference or personal interest, and the

judgment is made without undue influence from Amsterdam Research Institute for Legal Studies (ARILS), the programmes or other stakeholders. Any existing professional relationships between committee members and programmes under review were reported. The committee concluded that there was no risk in terms of bias or undue influence.

#### **1.4 Data provided to the Committee**

The committee received detailed documentation consisting of the following parts:

- Self assessment report Amsterdam Law School
- Self assessments of the research groups under review
- Referee reports
- Reply to referee reports
- List of key publications
- Evaluation of research priority areas
- Overview of individual research grants
- SSRN downloads Amsterdam Law School
- Assessment report 2003-2008
- Mid term review 2012
- Staff performance criteria
- List of journals per research group
- SEP 2015-2021
- Faculty strategic plan 2015-2020
- Evaluations Ius Commune and Human rights school
- List of research output per group

During the site visit the committee received information regarding the teaching programme of the PhD students and the new research priority area 'Law and justice across borders'.

#### **1.5 Procedures followed by the Committee**

The final assessment is based on the documentation provided by the institute and the interviews with the management, the leaders of the programmes, researchers within the programmes, and PhD students. The interviews took place on 24 and 25 November 2016 (see appendix B). The committee also met informally with the chair of one research group. During the site visit a separate meeting took place with Prof. Willem van Genugten in his capacity as national coordinator of the review process.

The texts for the assessment report were finalised through email exchanges. The final version was presented to the faculty for factual corrections and comments.

## 2. Assessment of the institute

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Assessments:	Research quality:	2
	Relevance to society:	2
	Viability:	3

*This assessment is based on the Terms of Reference and the data and interviews mentioned above. The Committee only investigated Amsterdam Law School (ALS) and therefore had no point of comparison amongst other law schools in the Netherlands.*

### 2.1 Research area and scope of assessment

The organisation of research at ALS, as in most other law faculties/schools in the Netherlands, reflects path dependency and responds to outside constraints. In line with the Dutch research culture, ALS research is still largely structured as research programmes institutionalized in *research groups*. This is reflected in the way the self-evaluation report was broken down by research groups, and in the terms of reference.

At the same time, ALS must also comply with ministerial policy and structure its research in research units according to that policy. Given ALS's limited size by ministerial standards, the entire school forms one *research unit*, the Amsterdam Research Institute for Legal Studies (ARILS).

Furthermore, it is the policy of the University of Amsterdam to enhance the profile of its leading research entities by designating them as *Research Priority Areas* (RPAs). In accordance with this policy, ALS has singled out three RPAs. A revised set of RPAs will be introduced in 2017, as will be discussed below. This new RPA system was at the core of much of the discussions held during the site visit, and accordingly the committee has decided to consider it fully in its assessment.

The following paragraphs describe the resulting organisational picture.

Of all the research work conducted at ALS, the vast majority (90% of the available research capacity) takes place under ARILS.

At this moment, ARILS is made up of thirteen research groups, namely (with their usual acronym where appropriate):

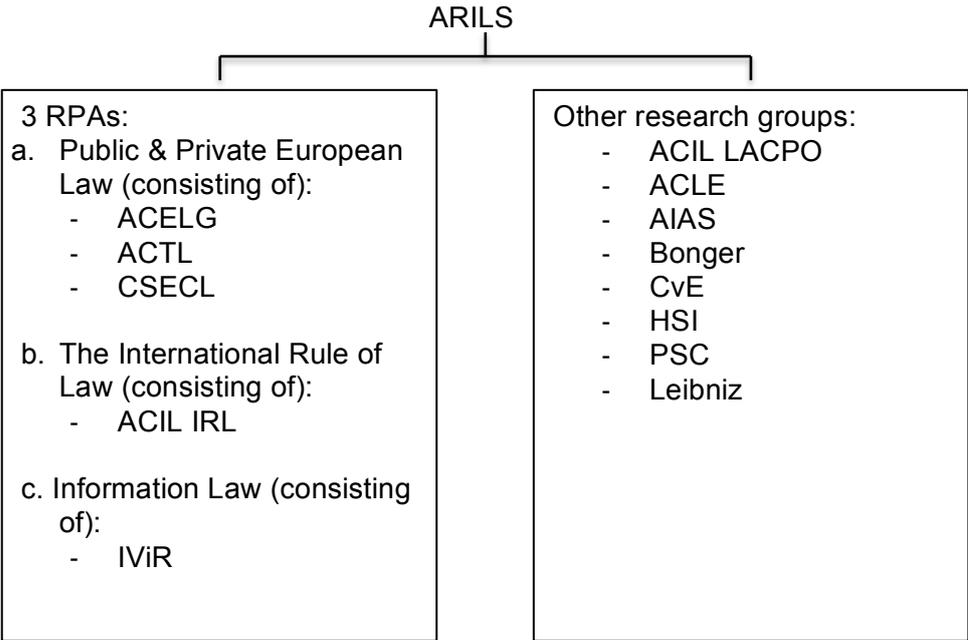
1. the Amsterdam Centre for European Law and Governance (ACELG);
2. the Amsterdam Centre for Tax Law (ACTL);
3. the Centre for the Study of European Contract Law (CSECL);
4. the Institute for Information Law (IViR);
5. / 6. the Amsterdam Centre for International Law (ACIL), which is itself divided into two research groups, one on the International Rule of Law (ACIL-IRL) and the other on the Law of Armed Conflict and Peace Operations (ACIL-LACPO);
7. the Amsterdam Centre for Law & Economics (ACLE);
8. the Hugo Sinzheimer Institute (HSI), the focus of which is labour law;
9. the Paul Scholten Centre for Jurisprudence (PSC).
10. the Leibniz Centre for Law, an inter-disciplinary research group on the use of information technology in the law;
11. the Bonger Institute of Criminology;
12. the Centre for Energy Research;
13. the Amsterdam Institute for Advanced Labour Studies (AIAS), a multi-faculty inter-disciplinary group .

In addition, two further research groups were discontinued in the assessment period, namely the Netherlands China Law Centre (NCLC) and The Amsterdam Centre for Environmental Law and Sustainability (ACELS).

In the course of implementing the RPA policy of the university, ALS decided to designate three RPAs, which were built upon existing research groups.

- RPA 1. Public and Private European Law, regrouping ACELG, CSECL and ACTL;
- RPA 2. International Rule of Law, consisting of ACIL-IRL;
- RPA 3. Information Law, consisting of IViR.

Finally, many researchers at ALS participate in the work of a research school recognised by the Netherlands Academy of Sciences (KNAW). ALS is a member of three such schools, Ius Commune, the School of Human Rights and the Netherlands School for Information and Knowledge Systems.



For the proper understanding of this report, it is important to delineate what was brought to the attention of the committee.

Quantitative data on research output, capacity and financing for ALS has been aggregated at the level of ARILS, representing, as said above, 90% of the research conducted at ALS.

However, at sub-ALS level, when it came to a more qualitative assessment, with self-evaluation reports and meetings during the site visit, our remit was more limited.

Of the research groups mentioned above, the last four (numbers 10. to 13.) were excluded in the Terms of Reference, since they are primarily financed through external funding, more specifically third-stream funding in the form of contract research. The two groups that were discontinued were also left out of our assessment.

Furthermore, the activities of the three research schools also fall outside of our remit, since two of these are directly accredited by the KNAW and follow a separate periodic assessment process. To the extent that many of the researchers active in those schools are also included

in one of the first nine research groups mentioned above, their activities are taken into account when these research groups are considered.

According to the information supplied by ALS, the nine research groups who were within our remit represent 80% of the research carried out at ALS. Within these nine research groups, the first five (1. to 5.) are included in an RPA, and the last four (6. to 9.) are not. These five RPA groups account for 65% of the research carried out at ALS.

In summary:	% of ALS total
Research activity at ALS	100%
of which ARILS is	90%
of which the nine research groups surveyed (1. to 9.) are	80 %
of which the five groups in an RPA (1. to 5.) are	65 %

**2.2 Research quality**

The committee came to the conclusion that, when translating its opinion into the categories of the SEP 2015-2021, the overall quality of the research falling within our remit qualifies as *Very Good (2)*. As will be seen below, this is an overall assessment, which masks the fact that certain parts of ARILS perform above that level, and others below. The committee’s opinion is based on the following considerations.

*Quantitative assessment*

As a starting point, the quantitative data provided in the self-assessment report give a picture of the environment at ARILS and the productivity of its researchers during the reference period. The data show that ARILS experienced a downturn in the last two years, with its senior researcher capacity going down from an average of 56.5 until 2014 to 49.21 in 2015, a drop of 12%. Junior (PhD) capacity also went down by 14% in 2015, after having been on a steep rise from 2009 to 2013. This is concomitant with severe financing constraints: after a stable period from 2010 to 2013 (save for an anomaly in 2012), the ARILS research budget was reduced by 16% between 2013 and 2015. Within that budget, more specifically, first-stream funding (direct State grants) decreased by 31% between 2013 and 2015, creating a strong and immediate pressure on ARILS researchers to obtain second- and third-stream funding. Even if the coming immediate future years would not bring about any further budget cuts, the last few years were already difficult for ARILS.

Against that background, it is remarkable that the aggregate ARILS research output figures remained stable over that period<sup>1</sup>. At the same time, given the broad lines of ARILS’ research policy, one would have expected a shift among the categories of publications, away from professional publications, publications aimed at the general public and other research output (such as annotations), and towards refereed articles and books published at renowned publishers. While over the reference period the number of publications in the latter categories grew faster than in the former categories, ARILS appears to continue to dedicate a considerable part of its limited research resources to categories of publications of lesser scientific relevance. If one looks at the ratio of refereed articles per FTE of senior research time, for instance, following a significant push in 2009 and 2010, that ratio has remained stable around 2.7 since 2011, with some year-on-year variance and variance between

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<sup>1</sup> It is of course always conceivable that there is a time lag between financial and capacity reduction (which began in 2014 and was felt most clearly in 2015) and a decrease in output.

research groups. A higher aggregate ratio should be achievable,<sup>2</sup> as ALS itself aspires to in its own Model for academic staff performance criteria.<sup>3</sup>

#### *Top publications and large research grants*

Beyond these quantitative measures, the committee was truly and thoroughly impressed with many of the top publications that were brought to its attention by the various research units. Most units could feature one or more key publications that followed the 'arc of excellence': these publications resulted from research projects that obtained competitive outside financing, they were widely presented and discussed in the Dutch, European or even international scene, they were published in top peer-reviewed journals or the best publishing houses, and they have been cited by peers. These publications tended to have been authored or co-authored by the leading figures in the respective research groups, which is to be expected, on the one hand, but also raises the question of how ALS ensures the continued presence of top-tier research talent and accompanies the more junior researchers on their way to reaching that top tier (more on this below).

In addition to the quality of the top publications, many of the research groups also excelled in obtaining the most sought-after type of outside funding, namely large individual research grants. During the reference period, ARILS researchers won NWO grants (Veni, Vidi) as well as ERC Starting and Advanced Grants. What is more, the list of grants obtained during that period evidences a positive spill-over effect, at least within groups: even if these large grants are personal, it takes a team to support applicants in the preparation and selection processes. Successful research groups are building on their success to help other members of the group to achieve success in turn. This bodes well for ARILS in the future.

The leading publications and the track record for large personal grants show that the top researchers at ARILS are able to lead their field in pushing the boundaries of knowledge. They enjoy a correspondingly high reputation.

#### *Beyond leadership figures: towards an ARILS culture*

For ARILS as a whole, one of the main challenges is to ensure that the achievements of its leadership figures translate into a broader research culture that permeates all of ARILS and incentivises all of its researchers. Previous assessments have urged ALS to move away from a fragmentation of its research efforts resulting from maintaining a large number of research groups. The creation of ARILS before the start of the reference period, the introduction of RPAs, the reduction in the number of research groups, all show that ALS took those assessments seriously. We have yet to see a true 'ARILS culture' emerge, however, although it is within reach if ALS continues its efforts in that direction; see remarks below concerning the new RPAs.

Indeed, beyond the leading research in top-quality publications mentioned above, the committee found that other research carried out at ARILS tends to be more conventional, both substantively and methodologically.

#### *Substance*

As regards substance, the committee readily acknowledges that legal research does not routinely produce breakthroughs; in legal research (as with the law itself) progress tends to be incremental. Some enhanced measure of incremental progress is needed, however, for

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<sup>2</sup> 1,0 FTE of research time represents the work of many researchers, since researchers always have a mix of research, education and administrative tasks. Assuming for the sake of argument that 1,0 FTE-year of research time amounts to the output of 3 senior researchers who each dedicate around a third of their time to research, a ratio of 2.7 refereed articles/FTE-year means that these researchers do not achieve one refereed publication per year.

<sup>3</sup> ALS expects a researcher with 0.4 FTE of research time to produce at least 4 refereed or comparable publications every 3 years, for an average of 1.3 publications per researcher-year or 3,3 publications/FTE-year.

research to stand out and to attract peer recognition. In their choice of research questions, ARILS researchers, aside from the leadership figures, could be more adventurous and strive to be on the knowledge frontier of legal research.

It is known from the literature on innovation that novel ideas tend to appear when individuals from different epistemic communities are brought in contact with one another. In that respect, the committee noticed considerable untapped potential within ARILS, in the form of research groups that work on the same or similar issues, yet do not communicate sufficiently with one another. Such has been the case, for instance, for IViR and ACIL-LACPO as regards cyberwarfare, PSC and ACIL-IRL as regards the rule of law, or IViR and HSI as regards what is termed the 'sharing economy'.

### *Methodology*

As for methodology, the committee appreciates that every research group demonstrated care about research methods and sought to present us with its respective approach. The committee very much supports methodological diversity within a large unit such as ARILS, as long as it is part of a shared culture of attention to and concern for methodology. Leaving each group to deal with methodological issues, however, results in accounts that try to describe and explain current practices within each group. None of the groups has been focusing its research on methodology as such, and accordingly they have not devoted enough attention to reflecting on methodological challenges. These challenges do exist, in the form of comparative, inter-disciplinary or empirical methods, to name the main ones, all of which force researchers out of their more conventional comfort zone. More attention should be paid to research methodology at the overarching level of ARILS, in order to bring the research groups in contact with each other and generate debates on these issues. This is particularly true with regard to inter-disciplinary methodology, including law and economics and law and social sciences.

### *Quality assurance*

The committee finds that ALS has taken the correct design decisions so far in introducing a quality assurance system, at the level of ARILS and at the level of individual researchers. There is still some work ahead, of course, in the refinement and implementation of that system.

With respect to individual researchers, ALS – much like other Dutch law schools – has introduced performance criteria, with a view to achieving a measure of objectivity and comparability which has long been absent in legal academia. The performance criteria include a point system that incentivises researchers to strive for refereed articles and leading book publishers. Researchers are guided in their ambitions by a list of journals that are considered to be leading in the field. The Scientific Advisory Committee of ALS oversees the journal lists. The committee applauds these initiatives. The performance criteria are in line with what is generally expected in legal academia. We find it important that they remain realistic as regards career progression: not each and every young scholar can publish in peer-reviewed journals. While journal lists, in particular, have been a very controversial topic in legal research assessment, ALS is right to assert leadership and not to equivocate any longer on this issue. The current lists remain fairly long and they are fragmented by research group, but they go in the right direction.

It is however too early to see if and how individual quality assurance will bear fruit in practice, since it is still a recent addition to ALS research policy. In particular, the consequences of meeting or not meeting performance criteria still have to be spelled out clearly. On that point, the assessment of individual researchers is left to research groups, with the attendant risk of insular assessment cultures amongst groups. In the interest of an 'ARILS culture', it would be

advisable for ARILS to monitor the assessment of individual researchers to ensure fairness across the research groups.<sup>4</sup>

At ARILS level, regular evaluations are carried out, within the general evaluation cycle of Dutch law faculties. In addition, mid-term reviews were made in 2012, in order to help ensure that ARILS would be in a position to achieve its objectives during the reference period. The review system functioned well, in that ALS took notice of the results of the last round of assessment (in 2009) and implemented measures to deal with the recommendations found therein. These measures have largely been successful.

#### *Human resources policy*

While ALS has developed individual performance criteria, to be assessed regularly, the committee did not see evidence that ALS's human resources (HR) policy had kept up with this evolution. Certainly, the introduction of tenure-track positions marks a step in the right direction, by blending performance and career progression, but that step may not be sufficient. Introducing reasonably clear and objective performance targets certainly guides and incentivises researchers, yet it cannot be assumed that researchers are equipped with the skills and knowledge to achieve these targets. In parallel with performance targets, HR policy should aim to ensure that researchers are trained and coached in matters of research planning, time management, interpersonal skills, presentation skills, etc. so that they can succeed. Such training and coaching is especially valuable for early-career researchers. These researchers face substantial pressure to publish, and they often need support as they seek to place articles in peer-reviewed journals and to produce a second monograph and ensure its publication in a renowned outlet. Ideally, such training and coaching should already be provided at PhD level. We would recommend that ALS devote more attention to ensuring that its HR policy is attuned with its quality assessment criteria.

#### *Re-organising research groups around Research Priority Areas (RPAs)*

The committee was asked specifically to voice its opinion on the reorganisation that took place at the start of the reference period, with the introduction of the three RPAs.

To some extent, there is a natural differentiation between the research groups, irrespective of the quality of their work.

A number of research groups are relatively small, with a well-defined research focus, and they have a long-standing relationship with the outside world (private practice or the public sector), that provides them both with resources and a research agenda. As we understand it, such is the case for ACTL, ACIL-LACPO or HSI (in addition, there are four further research groups outside of our remit, all entirely financed from outside sources). There is limited upside in including these groups in RPAs, given their size and focus, but at the same time they are all successful in their own right. Accordingly, they should continue to be supported by ALS, as long as they remain engaged with the rest of ARILS.<sup>5</sup> The committee was impressed by the commitment of the ACTL leaders to academia, in light of their respective high-level and demanding professional tasks. The committee also found that ACIL-LACPO was astoundingly dynamic in its research agenda, showing that it is possible to have close links with the practical world and produce academic work of the highest standing. PSC is also a smaller group with a targeted focus, but it does not evidence the same type of bond with the outside as the other groups mentioned above; the committee welcomes the stated intent to integrate several researchers of PSC within the new RPA Law and Justice Across Borders.

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<sup>4</sup> This does not hinder some groups from going above and beyond the ALS performance criteria with respect to their own researchers, as long as this is clearly spelled out ex ante: see below in the case of the renewed RPA policy.

<sup>5</sup> In the view of the committee, the level of engagement appeared to vary noticeably from one group to the other.

In addition to these groups, one finds a large and well-established, consistently successful research group (actually, more of an institute) such as IViR. IViR has a clear focus, but on a larger area, i.e. information law. Over the years, IViR has built up significant capacity and reached a high level of professionalism in all facets of its management. It has a large team of outstanding researchers, at all levels, and the quality of its research work enables it to stake its claim in the world leagues, with US partners. IViR was a natural candidate for an RPA, on its own. The performance of IViR over the reference period justifies its designation as an RPA.

Further, one finds well-established groups focusing on academic themes. ACIL-IRL, CSECL and ACELG share a number of characteristics. Their substantive focus is broader than the groups mentioned earlier. The international rule of law, European contract law and European law and governance, respectively, are all established academic themes; they link with EU-level policy debates, and as such also allow to bridge academia and practice. Because of the breadth of these themes, however, it is harder to establish the kind of outside relationships enjoyed by the smaller groups mentioned above. The remarkable quality of their work, however, enables them to do very well in competitive funding (second-stream). They are also all led by top-notch researchers whose success drives the research group. Their track record (or that of their members) prior to the reference period was outstanding, and therefore it made perfect sense for ALS to put these groups forward as RPAs. When compared to IViR, these research groups did not start out with the same level of institutional development, yet they have risen to the challenge. Their academic performance during the reference period also shows that ALS was justified in putting them forward as RPAs.

What is more, grouping CSECL and ACELG (together with ACTL) in a single RPA called “Public and Private European Law” made sense, given the shared European perspective in their respective research. During the reference period, however, limited synergies seem to have been derived from the grouping of these three research groups, except within the context of the project “The Architecture of Postnational Rulemaking”, in which CSECL and ACELG were involved. This is a point of concern, discussed further below in connection with the reform of RPAs, under Viability.

Amongst the nine research groups within our remit, this leaves ACLE. ACLE fits into none of the above categories. It does not have a specific focus that makes it easy to build bridges with the outside world: rather, it deals with the interplay between law and economics. It does not have the size or the long history of IViR. It does not either fit within the themes of the other RPAs. At the same time, on some metrics, ACLE might be the best performing group within ARILS. What is more, it has staked a place on the leading edge of the scientific evolution of law and economics: ACLE has embraced the more contemporary law and economics, which is more sophisticated technically as well as far less ideological than the previous generation. ACLE is also at the forefront of empirical legal studies, as they are arriving in Europe, after having become established in the US. The committee strongly recommends to ALS that, irrespective of RPA designation, ACLE be endowed with the necessary resources to enable it to continue its progress. Furthermore, given the remarks made above on methodology, it is of strategic importance for ARILS to ensure that the work of ACLE is sufficiently circulated to the rest of ARILS, and ACLE’s expertise is made available to others.

### 2.3 Relevance to society

The committee came to the conclusion that, when translating its opinion into the categories of the SEP 2015-2021, ARILS research generally qualifies as *Very Good (2)* as far as relevance to society is concerned.

In their respective written self-assessment reports, all research groups already evidence how they contribute to societal debates. During the site visit, all groups took time to explain their respective strategies to ensure the social relevance of their work. In each its own way, the research groups making up ARILS all devote considerable attention to this very important aspect of legal academic research. The committee was favourably impressed throughout.

Without claiming exhaustiveness, the committee wishes to single out, in particular, the work of ACELG on the ReNEUAL Model Rules on EU Administrative Procedure and the work of CSECL on the Common European Sales Law. Both are outstanding examples of how academic work can contribute positively to fundamental policy discussions on the evolution of our legal systems. We also commend the '360 approach' of IViR, whereby that group systematically seeks to integrate fully academic and social relevance in the setting of its research agenda.

We welcome the intention of ARILS, as stated in its self-assessment report, to improve the monitoring and measurement of its performance with respect to social relevance. Here as well, on the basis of the wealth of experience in the various research groups, there is room for synergies and mutual learning at ARILS level, thereby strengthening the 'ARILS culture'.

## 2.4 Viability

Whilst the previous two sections contained an assessment of the performance of ARILS during the reference period, this section is more forward-looking and, by implication, our comments are based partly on the data that was put before us and the meetings we had, and partly on extrapolations made on the basis of our collective experience.

Furthermore, the outside environment in which ALS makes these decisions is not favourable, which adds uncertainty to any assessment of viability. As with many other law schools, ALS faces an adverse spiral of ever increasing pressure on output quality and valorisation, coupled with steadily shrinking institutional funding. The combined effect of the policy evolution in the Netherlands is to force ALS to seek ever more outside funding, in the form of second-stream (competitive public research funding) and third-stream (private funding) revenues. Of course, this shift in financing can affect the substance of the research work carried out at ALS, and management must contend with this effect in deciding on ALS's research policy.

The committee came to the conclusion that, when translating its opinion into the categories of the SEP 2015-2021, ARILS ranked as *Good (3)* for viability. Let us say at this outset that our conclusion is not based on any misgiving about the management skills of research leaders at ALS. Rather, this assessment exercise takes place at a specific juncture for ALS, as it transitions to a new Strategic Plan (2015-2020) under a new deanship, and it is about to reform the organisation of its research efforts. Accordingly, a number of strategic decisions are being taken now, the effect of which is yet unknown. In the opinion of the committee, it is entirely conceivable that, if this assessment were to take place 12 to 18 months from now and if in the meantime ALS would have continued to make appropriate strategic decisions and succeeded in implementing those decisions, we would give ARILS a *Very Good (2)* for viability. At this precise point in time, however, we cannot assume that everything will unfold under a best-case scenario, hence our finding that ALS has *so far* 'made responsible strategic decisions and is well equipped for the future', to paraphrase the description found in the SEP 2015-2021 protocol. In the drafting of this part of the report, we have relied on the new Strategic Plan as well as the draft research programme "Law and Justice Across Borders" (LJXB) (draft dated 8 July 2016) as evidence of the direction that ALS intends to take.

### *Strategic decisions since 2008*

Since the end of the previous reference period, ALS has made a number of strategic decisions. Many of them followed from recommendations made in the previous research assessment, whilst others were dictated by outside circumstances, first and foremost budgetary constraints. In a nutshell, ALS sought to bring order in what was previously a decentralised collection of research groups: it created ARILS in 2008 and strengthened it following the preceding assessment. ALS also introduced differentiation amongst its research groups, when RPAs were introduced, on the basis of a determination regarding which groups performed best and were most promising.

The committee is convinced that these strategic decisions are fundamentally sound. ALS has embarked upon a long-term process of shedding the traditional Dutch law faculty mould in favour of a more outward-looking, contemporary model. This is a courageous decision, inasmuch as there still are powerful incentives within the Netherlands to stick to the conventional approach. ALS is departing from the traditional ambition to be an all-purpose institution within a national setting, in order to focus more closely on its strengths as it steps onto a broader and more competitive stage both nationally and internationally. It is emerging as a more nimble institution, with recognisable spearheads in research and advanced education, as well as basic education offerings.<sup>6</sup>

### *Dynamism – from substantive programming to research values*

Having the benefit of a wealth of experience in research assessment in other countries, the committee could appreciate how the Dutch tradition of programmatic research – even in law – can act as a straightjacket, when compared to other jurisdictions where less emphasis is put on the substance of research as a key steering factor in research policy. Programmatic research can even discourage researchers to go against the mainstream. As ALS continues to move ahead in its transition, it is likely to find that it is less able to use the substance of research to steer its research policy. As researchers become more integrated in global research circuits, they become subject to the research agenda-setting carried out within that global community<sup>7</sup>.

The case of IViR provides a useful illustration of the above. In existence for 25 years, IViR has built a solid and enviable reputation in the Netherlands and beyond. At its level, IViR has already by and large achieved the transition that ALS aims to make. As IViR's self-evaluation report shows, however, the institute no longer fully controls its research agenda. It must heed developments in Dutch and EU research policy. More importantly, it must also stay in step with broader social and scientific developments that affect its research (network neutrality, regulatory and competition law challenges to platform operators, the 'sharing economy', Big Data, privacy and surveillance, transition from human transactions to machine transactions regarding information), over which it has limited control only. This problem is further compounded by the very fluid area in which IViR evolves, self-christened as 'information law'. IViR cannot afford to base its strategic direction on its own perception of what 'information law' entails, rather it must align its research values with a constantly evolving substantive research agenda.

By way of another example, the committee was much impressed with how CSECL managed to transition swiftly from its work on a Common European Sales Law towards research on

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<sup>6</sup> While research strengths should undoubtedly be leveraged in the education realm (with a positive feedback effect on research), the converse is not true. Certainly as regards basic education (bachelor level), not all taught disciplines need to be backed up by high-level research efforts. This is all the more important in a difficult budgetary context, where choices must be made.

<sup>7</sup> Only a handful of researchers and research institutions worldwide have reached such a degree of prominence that they can influence global agenda-setting.

contracts in the Digital Single Market, when it became clear that the former theme had lost its policy salience.

The main challenge of ARILS, beyond immediate budget constraints, is to fully embrace the dynamism that comes with the integration into a broader research community. ARILS must be willing to dare to loosen the programmatic grip further, and to find its strengths not only in the research themes pursued separately by its researchers, but also in the dynamic and forward-looking research values embodied in the 'ARILS culture'. In concrete terms, the research policy of ALS must make it possible for individual researchers who fit within this 'ARILS culture' and excel in their work, to receive appropriate recognition, in terms of task mix and financing, even if their work might not fall within the ambit of the research themes.

#### *The new RPAs*

It is against that background that the committee immersed itself in the reform of the RPAs currently being prepared. In essence, ALS would bring the number of RPAs from three to two: IViR would continue to build an RPA on Information Law, and next to it a new RPA would be created, around the theme 'Law and Justice Across Borders' (LJXB).

LJXB would bring together the following research groups: ACIL-IRL (now under its own RPA), ACELG and CSECL (both of which are now in the 'Public and Private European Law' RPA), to which PSC would be added.<sup>8</sup> A key feature of LJXB, as compared with the current RPAs, is that its membership does not overlap 1:1 with that of those three research groups. Rather, members of those research groups must meet certain performance criteria in order to be included in LJXB. By the same token, membership of LJXB would also be opened to researchers from outside the founding research groups, provided that these researchers fit within the scope of LJXB and meet its performance criteria.

ALS also intends to change the financial consequences of RPA designation. Whereas the current RPAs differ from the rest of ALS in that they have access to university-level additional funding, the new RPAs will also benefit from a different repartition of faculty-level funding. The general rule at ALS is that faculty members must dedicate 70% of their time to educational and administrative tasks, with the remaining 30% left available for research. For researchers affiliated with the new RPAs, that key will be 60/40 instead of 70/30, i.e. ALS will allocate research funds so as to enable the new RPAs to guarantee their affiliated researchers 40% of their time for research.

The committee looked at the new RPAs in the light of the following considerations. Even if they might be a response to outside constraints, the creation of RPAs should also make sense from an internal perspective. RPAs should reflect the strategic priorities of the faculty thinking, they should provide added value, enhancing a unified "ARILS overarching commitment," and, in the interest of a proper climate within the faculty, they should be created and operated in an open, transparent and legitimate manner.

#### *Law and Justice Across Borders*

In the course of the site visit, the committee could clearly perceive that in addition to its potential synergy the creation of LJXB gives rise to some tensions within ALS. In our view, these tensions may well ebb away as LJXB is further developed and operationalised, as long as ALS acts in full awareness and acknowledgement of some issues.

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<sup>8</sup> ACTL may not be part of the new RPA, which is understandable to the committee. As stated above, the committee found that ACTL relies on a solid link with practice that ensures its viability and its performance. Furthermore, the synergies of ACTL, on the one hand, with ACELG, CSECL and ACIL-IRL, on the other hand, appear limited.

First of all, the committee did not discern any sharpness or explicitness of the particular research themes. 'Law and Justice Across Borders' is an all-encompassing title, potentially covering most leading-edge legal research currently done in Europe and beyond. The three sub-themes, 'Order and Conflict', 'Rights and Values' and 'Markets and Society' are equally broad. During our conversations, faculty members could not really clarify the substantive case for LJXB.

The most convincing justification for LJXB was articulated along other lines: ACIL-IRL, CSECL, ACELG and PSC researchers have much in common, in their research approach, their interests, their range of methods. They all appreciated a previous collaborative endeavour, called 'The architecture of postnational rulemaking' and want to continue working together. In short, these researchers share a number of values and derive synergies from interacting with each other. In the view of the committee, such a 'bottom-up' desire to work together provides ample justification to build a RPA. The defining feature of this RPA might thus lie elsewhere than in the substance of the research. To some extent, the research theme of LJXB might be a translation of the overall ALS ambition, expressed in its Strategic Plan, to "conduct research that positions the law in a European and international context". This can be seen as a statement pertaining to method and values as much as, if not more than to substance.

Secondly, as the LJXB document makes clear, the prime objectives of LJXB are scientific excellence and societal relevance. This is why LJXB requires that its members achieve and commit to maintain defined performance standards. It seems to the committee that this commitment to scientific excellence and societal relevance defines LJXB as much as, if not more than any substantive research theme.

In light of the above, LJXB could be seen as a RPA that seeks to regroup those faculty members who are most committed to the research values of ARILS and perform at the highest level (outside of IViR). LJXB would then form a central part of the 'ARILS culture' that we advocate, and it would provide exemplary guidance and incentives to the whole of ALS. It would provide a path to ambitious young researchers coming to ALS. The committee sees the logic and usefulness of such an institution, although it is not the only conceivable way in which ALS could organise differentiation in research policy and funding.

Accordingly, it is important that LJXB be designed in such a way as to embrace the dynamism that comes with the integration into the broader research community beyond ALS. Substantive agenda-setting should be open, and so should the membership. The committee welcomes the decision to open the membership of LJXB to researchers from outside the founding research groups. We recommend that the membership criteria be made as objective as possible, adequately publicized throughout ALS and administered in an impartial and transparent manner.

Furthermore, ALS should translate its commitment to LJXB through a stronger institutional framework: as the LJXB draft now reads, research groups will continue to exist under the LJXB umbrella, which could give rise to inefficiencies and tensions. In the opinion of the committee, in the light of the experience with the 'Public and Private European Law' RPA, ALS should envisage merging or dissolving the research groups falling under LJXB.

#### *Information Law*

Maintaining an RPA in Information Law is fully warranted, for the reasons given above. We would recommend, however, that the membership of IViR become or remain open in a similar way to what is planned for LJXB.

### *Research outside the RPAs*

As mentioned previously, the committee notes the commitment of ALS to continue supporting ACLE in a way comparable to an RPA. We strongly approve, for reasons set out above.

Likewise, if ACTL does not join LJXB, we recommend that ALS continues its support and note that the Dean committed himself to do so.

Finally, as mentioned above, the committee pointedly urges ALS to support individual research undertaken outside the RPAs as if it were done within an RPA, if it is clearly of outstanding quality and fits within the 'ARILS culture'.

### *Immediate challenges*

In the short run, the committee sees two main challenges facing ARILS.

The first challenge comes from the difficult financial situation of ALS. ALS management is confident that it can avert future cuts and maintain the current level of funding in the years to come. Nonetheless, that current level of funding is already sharply down from two years ago. ALS decided to discontinue the funding of PhD positions from its State allotment (first-stream funding). It is not within the remit of this committee to make recommendations on how to solve ALS budgetary issues in general. As far as research funding is concerned, the ARILS track record on second- and third-stream funding is impressive, as noted above, and ARILS provides support to researchers in their efforts to secure such funding.

The second challenge concerns sensitivity to changes in personnel, in particular at the senior level. After having achieved outstanding results with ACELG, Professor Deirdre Curtin has left for the European University Institute. Professor André Nollkaemper is now ALS Dean, and during his deanship, he will not be able to drive the success of ACIL-IRL in the same way as he did during the reference period. In both these cases, the departure – permanent or temporary – of the founding figure was perceived as a threat, even though in the end both groups seem to have found new leadership that is up to the task. It is the hallmark of good strategic management that research groups are able to continue to succeed after a key member departs temporarily or permanently. Of course, this is an issue of critical mass, but not exclusively. It is also a matter of developing a culture that transcends the individual researcher, and thereby remains if a key figure is leaving. IViR seems to possess such a culture, and it does not appear vulnerable to changes in personnel. The committee hopes that the creation of LJXB will both create critical mass and lead to the emergence of an institutional culture that will smooth out future transitions.

## **2.5 PhD programme**

In the period 2007 – 2012 a total of 104 PhD students enrolled in ALS (69% regular PhD students and 31% external PhD students). ALS shows a decrease of regular PhD students and an increasing number of external PhD students due to a decrease in direct funding by the government.

An organised PhD training programme is offered by the Graduate School of the ALS. It comprises an individual supervision of the research project and a teaching programme. The teaching programme comprises four courses: Research Skills, Methods of Legal Research, Comparative Law and Comparative Legal Research, and Academic Writing.

The committee interviewed PhD students in various stages of development of their PhD research about their supervision, research facilities, graduate school, and possible constraints of their research. Members of the committee were impressed by the quality and

enthusiasm of the students they met with. In general, the PhD students feel that they receive appropriate guidance and support from their supervisors. The PhD students the committee met are autonomous in defining their research topics, collecting their data and building their theoretical frameworks. They were enthusiastic about the flexible, informal atmosphere at ALS.

However, the committee feels there is room for improvement. First, PhD students felt very well part of their own research group, but there was limited cohesion between PhD students of different groups. There is nothing wrong with PhD students feeling a closer vertical bond with the other researchers (junior and senior) working in the same area, than with the horizontal bond they experienced with other PhD students across ALS, but there are trade-offs involved, and ALS must be aware of them. ALS should avoid a situation in which the benefits received from participation in a research group merely duplicate those arising from the resources it spends on its faculty-wide PhD programme – teaching time, contact with senior faculty, mentoring, etc.

Second, the students were not yet fully satisfied about the teaching programme. In their opinion, the programme has been vastly improved compared to what it was two years ago; there are still some steps to be taken. The students find that the courses are really basic and coherence between the courses is missing. It is possible to attend in-depth courses outside ALS, but only on one's own initiative. The committee recommends that the faculty further improve the programme, tailoring the programme specifically towards the needs of the students. A more flexible approach to the coursework to be selected and attended by the students is desirable. This allows them to make choices that fit best with their research project and to use their time as efficiently as possible.

Third, the committee understood that the Graduate School of ALS organises programmes and procedures for the regular (internal) PhD students, and does not devote much attention to the external PhD students. In a context where internal PhD positions are dwindling and a shift to external positions is foreseeable, the committee strongly recommends to extend existing activities to external PhD students, including courses, possibilities to meet each other and to meet regular PhD students, to present parts of their work, and the like. For the sake of quality assurance, this should not be merely an option offered to external candidates, but rather a requirement imposed on them.

## 2.6 Research integrity

Faculty and staff of the Amsterdam Law School are subject to the UvA rules regarding academic integrity. These rules oblige all members of the academic community to respect the principles of meticulousness, reliability, verifiability, impartiality and independence, and to do everything within their power to promote and ensure compliance with these principles in their academic environment. In 2015 the Amsterdam Law School established an Ethics Committee. This Ethics Committee was established to meet the increasing demand for an ethical review of research proposals.

The committee is satisfied with the processes in place for ensuring research integrity. We do caution ALS, however, that the rules put in place are not necessarily up to best international practices yet.

The committee was pleased to learn that rules on scientific integrity also apply to PhD candidates. However, these rules do not extend to external PhD students, who are neither trained nor controlled with regard to research integrity. The committee is satisfied that ALS is already looking into ways to integrate external PhD candidates in the scientific research

integrity screening procedures in a similar way as regular candidates. It highly recommends the faculty soon to change the processes and rules as just mentioned accordingly.

## 2.7 Summary and recommendations

The committee commends the efforts of both management and researchers to maintain research excellence in a difficult environment. In that spirit, throughout the preceding paragraphs, it made the following findings and recommendations:

- ALS should aim to achieve a higher ratio of refereed articles per FTE of senior research time;
- Building on the successes of its research groups and its leading researchers, ALS should foster an 'ARILS culture', by: increasing the communication and exchange between the research groups (and truly integrating the groups making up the future LJXB RPA) on the substance of their research, and creating an ARILS-wide discussion on methodology;
- Also in order to foster an 'ARILS culture', ARILS should ensure that the assessment of individual researchers is carried out fairly across the research groups;
- Human resources policy should complement quality assurance by providing training and coaching to faculty as they progress in their career, so that quality assurance is integrated within a broader picture and is perceived as an incentive as opposed to a barrier;
- In its new RPA policy, ARILS should put more emphasis on an ARILS culture of research values (commitment to the broader European and international context, methodology) . The criteria for membership in the RPAs should be objective and transparent, and membership should be open. Moreover, safeguards should be in place so that individual researchers who excel in their work and fit within that ARILS culture should be able to enjoy the benefits associated with RPA designation (task mix, financing) even if their work might not fit precisely within a given substantive theme.
- ALS should continue its efforts to improve its PhD training programme, and avoid duplication with the efforts made at research group level;
- PhD training should be made compulsory for external PhD students as well;
- External PhD students should be fully subject to the research integrity rule of ALS, and they should be trained accordingly.

## 3. Assessment of the research groups

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### 3.1 Amsterdam Centre for European Law and Governance (ACELG)

#### *Description of the research programme*

Founded in 2009, ACELG focuses its research on ‘mapping and critically analysing the evolution of the legal and political processes of constitutionalisation in the EU, understood as subjecting all exercise of public power to procedural and substantive structures, principles and values, as well as the countertendencies European integration triggers’. The design and structure is closely connected to the European move towards ‘governance’. ACELG combines legal and empirical methods in its aim to ‘analyse the real world as it operates in the multi-level political order of the European Union’ and how the ‘rule of law and accountability can be strengthened and improved’. The number of researchers has steadily increased over time and has been stabilised at around 30 persons.

#### *Achievements*

In a couple of years ACELG established itself as one of the leading institutions in European administrative law and governance. Its twofold approach, accompanying the ongoing political Europeanisation of administrative law through the EU institutions and its critical reflecting on the deeper constitutional implications of the Europeanisation of executive power, is the key to its success. The involvement of ACELG in the Research Network on EU Administrative law (ReNEUAL) is of paradigmatic importance. ReNEUAL’s aim is to address ‘the potential and the substantial need for simplification of EU administrative law.’ The strong commitment of the ACELG is reflected in deep empirical and theoretical research which stands behind and underpins ReNEUAL. Joining forces with CSECL and ACIL-IRL in the newly established LJXB RPA was a logical and most convincing step forward.

#### *Societal relevance*

The design of the Centre and its research programme embodies the need to build contacts to national and European institutions, administrations and courts. ACELG is overtly present in the political debates on multi-governance, on agentification and on what is termed ‘the living constitution’, both at the European level but also at the national level.

#### *Research quality*

ACELG has a remarkable record in fund raising from the Dutch authorities and EU institutions. The Spinoza Price granted to Deirdre Curtin (budgeted until 2020) deserves to be highlighted. The members of ACELG have published their findings in the ‘who’s who’ of the European publishers, in special issues and articles of first class journals. ACELG has heavily contributed to set the benchmark in the European academic debate on European administrative law and governance.

#### *Viability*

The 2014 research programme shifted the focus to the ‘authority and powers in dynamic context of integration and differentiation within the compound constitution in Europe and how it should be evaluated against a set of constitutional principles’. The newly appointed director Christina Eckes (August 2015) will have to implement the programme in light of the new research priority area on ‘Law and Justice Across Borders’, which is meant to bring CSECL, ACIL and ACELG to a much needed closer co-operation.

## 3.2 Amsterdam Centre for Tax Law (ACTL)

### *Description of the research programme*

The Amsterdam Centre for Tax Law was formed in 2009, when Tax Law research disassociated itself from the Amsterdam Centre for International Law (ACIL). It is part of UvA RPA 'Public & Private European Law'; it is uncertain whether it will remain within an RPA under the new RPA policy now being put in place, as discussed in the main part of the report. The group's research programme is 'Tax sovereignty versus Globalisation', addressing International Tax Law, with an emphasis on EU law. Its aim is (1) establishing the limits of national tax sovereignty and (2) assessing whether these limits should be narrowed or broadened. The programme is divided into three subthemes, devoted to the influence on tax sovereignty of (1) double tax treaties, (2) the EU Treaty freedoms, and (3) the EU harmonising Directives regarding direct and indirect taxes. The number of researchers within the group rose from 12 (assistant) professors (together 1.24 FTE) and 2 PhD students (2 FTE) in 2009 to 18 (assistant) professors and other post-doc's (together 1.96 FTE) and 10 PhD students (together 3.4 FTE) in 2015. The group has a considerable number of non- or little-remunerated researchers, thus, in 2015, 2 professors each with an 0.08 FTE research appointment and 12 non-remunerated researchers (incl. external PhD students). This aspect obviously facilitates research that is, as a matter of principle, practice orientated.

### *Achievements*

The group has acquired, in the short period of its existence, a strong 'brand name', with regard to both its research output within the three subthemes and its persistent combination of academic and practical perspectives. With such issues as international base erosion and profit shifting (tax avoiding) and fair interstate tax policy competition, the group is at the heart of actual global tax policy developments. The collaboration with the International Bureau of Fiscal Documentation is particularly important. As to PhD theses, 1 internal and 2 external theses completed in seven years, on 2-10 PhD students working at the same time in the group, cannot be seen as a remarkable achievement. It is, however, important that no student appears to have had to discontinue a doctoral project.

### *Societal relevance*

The group's efforts in attracting practitioners and politicians to its conferences and teaching have proved to be successful. Moreover, one of its researchers chaired a committee on reform of the Dutch tax system.

### *Research quality*

The group's research results are numerous and of high quality, especially in the field of European Tax Law.

### *Viability*

There seems to be no reason for doubts regarding the group's future until 2021. Strengthening factors are the new LLM in international taxation, in collaboration with the IBFD, and the new chair for Indirect Taxation. The termination of the faculty's PhD funding as well as further risks of budget reduction, however, urge a search for other than direct funding.

### 3.3 Centre for the Study of European Contract Law (CSECL)

#### *Description of the research programme*

The CSECL was founded in 2006. Its aim is 'to promote high-quality research in European contract law'. Contract law here is understood widely as the law of economic transactions, hard law and soft law, contract and tort law, commercial law and consumer law, insolvency law and patrimonial law. The Centre's establishment activity is connected to political attempts within the European Parliament and the European Commission to elaborate a common design for a European contract law. The group has been focusing its attention around three subthemes: 'The EU legal space and the interactions with national and international private law', 'property, publicity, priority' and the 'legitimacy of postnational private law'. Its approach is interdisciplinary and context related: combining political theory, legal theory, and critical theory with comparative law and economic analysis of the law. The average number of researchers associated to CSECL in different capacities, including fellows, is around 25.

#### *Achievements*

CSECL has managed to strike a fine balance between 'support' and 'critical distance' of the important political project promoted by the European Parliament and the European Commission – begun as the Draft Common Frame of Reference, which later became the Common European Sales Law and has now been condensed to two initiatives regulating transborder digital sales. CSECL quickly became one of the few most important academic institutions in the European pursuit of a project that was meant to underpin the (now failed) process of building a European constitution and making a European civil code. However, not only did CSECL accompany and report on the overall process of Europeanisation of contract law, it also devoted time and effort to a critical reflection on the pros and cons of the process, of the values behind it and the architecture surrounding it. This is most visibly reflected in the joint (CSECL, ACELG and ACIL-IRL) research project 'The architecture of postnational rule-making'.

#### *Societal relevance*

CSECL is deeply embedded in the political processes of the Europeanisation of private law through the EU institutions. CSECL has commented and accompanied the different stages in the European Commission and the European Parliament. The visibility of this involvement around Europe and in the Member States is very high.

#### *Research quality*

CSECL has been extremely successful in its applications for research projects funded either by Dutch authorities or by European institutions. The results are all published in first class journals or with first class publishers in Europe. CSECL managed to turn its political involvement into the Europeanisation process into high profile publications. CSECL contributed heavily to the academic debate on European contract law. It is surprising, however, to see how little historical research is being carried out within CSECL.

#### *Viability*

CSECL is one of the drivers (together with ACELG, ACIL-IRL) behind the joint research programme for a new RPA called 'Law and Justice Across Borders' (LJXB). That programme, with its three major areas 'order and conflict', 'rights and values', 'market and society', is broad enough so as to reflect on the uncertainties of European contract law after Brexit and after the failure of CESL. The financial impulse coming from the RPA designation, combined with the past track record of CSECL in outside funding, enables CSECL to be confident about its future.

### 3.4 Amsterdam Centre of International Law – International Rule of Law (ACIL-IRL)

#### *Description of the research programme*

The ACIL was founded in 1998. Since 2008 it has constituted an RPA at ALS. Its core focus is the development and implementation of the international rule of law. It engages in “a critical assessment of conceptions of the international rule of law, and explores developments in selected contexts, in particular postnational rulemaking, shared responsibility, interfaces between international and national legal orders, international investment law, international criminal justice and hierarchy in international law.” ACIL approaches these issues in a critical manner: “it raises questions, identifies complexities, and articulates alternative perspectives for thinking about and understanding the development of an international rule of law and its limits.” It relies on a plurality of research methods, including doctrinal, conceptual-normative, empirical, and sociological approaches. In the period 2009-2015, ACIL consisted on average of about 40 researchers in the field of public international law.

#### *Achievements*

ACIL has gone from strength to strength over its existence. Major breakthroughs for ACIL-IRL in the period under review have been the SHARES and LexMercPub ERC projects and the joint project on the architecture of postnational rulemaking. These flagship projects, together with other projects including international criminal law, have put ACIL-IRL firmly on the map as an internationally recognised research centre, with a significant number of internationally leading researchers.

#### *Societal relevance*

ACIL-IRL has actively reached out to society in different manners: by involving practitioners and international organisations in a number of its activities, by translating some of its academic output into policy documents, by an extensive use of social media, and holding workshops for international government personnel and other stakeholders.

#### *Research quality*

ACIL-IRL’s research output has been high and often of internationally outstanding quality, with many publications in top journals and top international publishers.

#### *Viability*

ACIL-IRL has a stable research core group which, also given its past track record, can continue its work with confidence and continue to apply for external research funding. The unavailability of Nollkaemper because of his management duties as Dean requires proper attention and replacement, in order to provide ACIL-IRL with continuous strategic and day-to-day guidance. Solutions will need to be found for the significant decrease of direct government funding for PhD research.

### 3.5 Institute for Information Law (IViR)

#### *Description of the research programme*

The Institute for Information Law was founded in 1989, pioneering the notion of information law. The Institute brings together copyright and other aspects of legal treatment of information on an international basis, maintaining close and cooperative relationships with other centres of information law and policy in the US, the EU, and elsewhere. IViR is committed to principles of technological neutrality, normative analysis, and multi-disciplinary research and teaching. It studies areas of colliding legal principles, such as defining the boundaries of copyright protection versus user rights; the extent of secondary liability of internet intermediaries; behavioural targeting versus privacy rights. Its stated goals are to produce cutting-edge scholarship and maintain international leadership; to develop legal concepts, doctrine, and policy agendas, suitable for the information society; and to continue to promote “the paradigm of information law”. As of 2015, the Institute reports approximately 21 FTE in research staff, full- and part-time combined.

#### *Achievements*

IViR has had outstanding success at attracting outside funding, reporting a ratio of 2.3 to 1 outside funding versus internal funding. It reports many major grants and awards: NWO Veni, HERA, NWO Top, NWO Top Talent, Marie Curie, ERC. The Institute has produced many studies and consultations with EU entities regarding copyright reform and other regulatory matters regarding information. It has sponsored many seminars, speakers, and other projects involving both nationally and internationally renowned scholars and legal professionals. IViR also maintains an outstanding PhD programme, with an extensive specialised library, and space for its PhD students to work on the premises, where they are provided with ongoing supervision and mentorship. This has resulted in excellent publications that add real value to our understanding of the details of developments in information law.

#### *Societal relevance*

IViR’s principals and its PhD candidates are publishing impressive works useful to all who interact with the tools of the information society in the global networked digital environment., whether copyright owners or copyright users, advertisers or customers seeking privacy, legal professionals, legal theorists, or interested citizens. IViR has a long history of seeking and acting on opportunities to provide investigative reports and participation in evolution of information law in the EU and elsewhere. It has provided, and can be expected to continue to provide, many seminars, conferences, and workshops through which the public can become better informed about information law.

#### *Research quality*

The IViR’s research has been consistently published in first-class journals and well-reviewed books. The extensive research output of the IViR is well known and highly regarded by other researchers in information law in the US, the EU, and other countries.

#### *Viability*

The IViR has been selected as a Research Priority Area (RPA) by the UvA, in light of its prominence and past achievement. Putting that choice together with the IViR’s record of obtaining substantial funding yields an optimistic view of its viability going forward. Indeed, a new grant to study privacy issues related to smart phones jointly with MIT has been announced within the past few weeks, jointly funded by NSF and NWO. IViR’s intention to pursue research examining emerging issues such as the interaction of information law with the expanding replacement of human interaction by machine interaction, as well its interest in the uses and abuses of “Big Data,” add support for an optimistic view of viability going forward.

### 3.6 Amsterdam Centre of International Law – Role of Law in Armed Conflict and Peace Operations (ACIL-LACPO)

#### *Description of the research programme*

ACIL-LACPO is a research programme within ACIL which investigates the increasing and changing nature of the role of law in situations of armed conflict and peace operations, including post-conflict transitional situations. While its primary focus is public international law, it also studies the relationship with other branches of the law such as military operational law, conflict and security law, arms control law, and non-legal disciplines such as international relations, and military art/science/history. The research programme is conducted by a group of around 20 persons.

#### *Achievements*

In the period under review, ACIL-LACPO has reached a number of fine achievements, including (1) five PhD dissertations in various areas of the law relevant to the programme, (2) a fine output of articles, books and book chapters in leading journals and book publishers, and (3) various policy-relevant studies. All in all these are substantial contributions to scholarship, often in close collaboration with some of the world's leading experts.

#### *Societal relevance*

ACIL-LACPO has been able to reach out with its research to a great variety of governmental and non-governmental bodies (AIV/CAVV, CCDCOE, ISML CTIVD), next to briefings for governmental agencies, lectures for general audiences and conferences for professional audiences.

#### *Research quality*

ACIL-LACPO's research quality is high and internationally respected, with many publications in reputed international journals and with solid international publishers.

#### *Viability*

ACIL-LACPO has a proven track record, with a dynamic programme director who continues to provide leadership. A great strength of the research programme is the special relationship with the defence community. Nevertheless, further thought must be given to future challenges, including a generational change of guard, finding direct (rather than indirect) sources of research funding, and exploiting potential synergies by collaborating more closely with other research programmes of the Faculty of Law, in particular ASIL-IRL and ACELG.

## 3.7 Amsterdam Centre of Law and Economics (ACLE)

### *Description of the research programme*

ACLE was founded in 2004 as an inter-faculty centre, bringing together researchers from ALS and the Amsterdam Business School (ABS). During the 2012-2015 period, ACLE had a focused research programme, entitled Regulatory Dynamics. This programme has two theoretical components (Institutional Dynamics, Behavioural Dynamics) and three applied ones (Financial regulation in a time of crisis, Competition law and development, Environmental risks of growth). As of 2016, a new research programme concentrates on three areas: Law and Finance, Empirical Legal Studies (including behavioural economics and big data) and Competition Law and Economics. ACLE features a peculiar 'network' structure, with a small core of dedicated staff from both schools, together with a larger network of affiliated researchers from various departments in both schools. At ALS, Prof. Dari-Mattiacci forms the core of ACLE, with Profs. Adrienne de Moor-van Vugt and Marcel Peeters being 'contributed' by their departments and a further 9 faculty members as external fellows.

### *Achievements*

Over the research period, ACLE researchers produced at a steady pace, with 114 refereed articles within a total of 245 academic publications, as against 183 non-academic publications. Many of these publications were in top journals worldwide, such as the Journal of Legal Studies, the Journal of Law, Economics and Organisation or the Review of Law and Economics. In addition, ACLE has been successful in raising outside funding, with a cumulative total of € 2.7 million over the reference period.

### *Societal relevance*

In addition to its stellar scientific record, ACLE has also been remarkably good – considering it is a centre in law and economics with a relatively theoretical outlook – at building bridges with society. ACLE carried out an important research endeavour for the Netherlands Judicial Council (prediction of lawsuits flow), and played a significant role in policy debates on supervisory authorities and the effects of bank bailouts on mortgage rates.

### *Research quality*

The publication record of Prof. Dari-Mattiacci is probably unmatched anywhere at ALS. He seems to exert a positive spill over effect on other ACLE researchers, who also publish regularly in top peer-reviewed journals. Beyond that, ACLE has its finger on the pulse of its discipline at global level. It is active in behavioural law and economics. It is also a pioneer in introducing empirical legal studies in Europe: the very first European conference on empirical legal studies was organised and hosted by ACLE. ACLE also organises a remarkable seminar and conference series, where the best researchers from the EU and US regularly appear. Beyond strict measurements of research quality, ACLE therefore also makes a unique contribution to the overall research environment at ALS.

### *Viability*

There is no doubt that ACLE is viable from an academic and social point of view. It is very lucidly and ably managed, and it is well placed to continue playing a significant role in both academic and policy debates. The main cloud over the horizon is the uncertainty surrounding funding at ALS. ACLE is not part of an RPA, but ALS has committed to ensure that it receives a level of financing commensurate with that of an RPA.

### 3.8 Hugo Sinzheimer Institute (HSI)

#### *Description of the research programme*

The Hugo Sinzheimer Institute was established 1993. It is not part of an RPA. The group's research addresses Labour Law and Social Security Law. Its programme was 'From protection to Order: Consequences of Internationalisation for Collective Labour Law' (2009-2012) and is now 'Repositioning Labour Law'. The latter's aim is looking for answers to the questions whether, how and to what extent the traditional tenets of Labour Law (incl. Social Security) ought to be redefined, in the light of the impact on labour relations of new levels of regulation (EU, international), different domains of regulation (competition and company law) and non-state regulation (market and self-regulation). The programme is divided into three subthemes, devoted to repositioning in relation to (1) multi-level governance, (2) adjacent fields of law, and (3) instruments of governance. Though the group formerly undertook multidisciplinary (legal and social-scientific) research, since 2012 it has had to confine itself to strictly legal research, leaving the multidisciplinary research to AIAS (a joint venture of the Legal, Social, Economic and Medical Faculties). The number of researchers within the group grew from 6 (assistant) professors and other researchers (covering together 1.9 FTE), 3 PhD students (1.1 FTE) and some visiting fellows (0.4 FTE) in 2009 to 13 (assistant) professors and other researchers (2.6 FTE), 3 PhD students (1.8 FTE) and 5 visiting fellows (1 FTE) in 2015.

#### *Achievements*

Even though staff diminished, a substantive research output was maintained. Ten PhD theses completed in seven years on an average of 3 PhD students (covering between them 1.1 FTE) working at the same time in the group, is a remarkable achievement – even if external researchers were involved (whether this was the case, however, could not be made up from the SAR). Equally important is that no student appears to have had to discontinue his doctoral project.

#### *Societal relevance*

The group has strong ties with legal practitioners, insurance companies and trade unions, but also with Parliament and other public bodies. Its members are interviewed frequently by various media.

#### *Research quality*

Due to faculty policy the group gave up multidisciplinary research as of 2012. The group's national, descriptive research is exemplary. It addresses major new developments in the labour market. One would expect, however, that the national research would be complemented by international and comparative research, much more than is visible now in the output.

#### *Viability*

In the years ahead, the group will, no doubt, be able to continue producing sound national, descriptive research. It will, however, have to find a balance with equally important international and comparative research. Judging from recent successful efforts, it seems possible that the group will be able to acquire the requisite funding to fulfil this aim.

### 3.9 Paul Scholten Centre for Jurisprudence (PSC)

#### *Description of the research programme*

The Paul Scholten Centre for Jurisprudence (PSC) seeks to promote and produce high-quality research in legal theory, legal philosophy, legal sociology, and legal history, while at the same time making this knowledge available to legal professionals and to general audiences. The PSC currently has 10 senior researchers as well as two affiliated professors at other institutions. The Centre is funded directly by the Faculty of Law, and receives some additional funding for specific research activities such as workshops, conferences, and lectures, undertaken with other universities both within the Netherlands and in other countries. In 2011 the PSC Centre adopted a research program combining normative and empirical work on “The Rule of Law at its Limits.”

#### *Achievements*

Since focusing on the rule of law, the Centre has expanded its international activities and has sharpened its research aims by identifying and researching urgent contemporary challenges to the rule of law. These challenges include, among others, the relationship of the rule of law to human rights, and the effect of crises and emergencies (such as the refugee crisis) on the rule of law. In 2014 the PSC became the home institution of The Hague Journal on the Rule of Law, with one of its researchers serving as editor-in-chief of this journal, which is published in collaboration with The Hague Institute for the Internationalisation of law and the Amsterdam Centre for International Law (ACIL). PSC has improved its international recognition by focusing on publishing books and articles in high-level internationally recognized venues.

#### *Societal Relevance*

The Centre is pursuing a multi-disciplinary program that confronts contemporary challenges to the conception of the EU as a community of values, a conception that has become increasingly contested by crises and the threat of terrorism. Under these circumstances the work of the PSC studying in depth the relationship of the rule of law to human rights and to democratic values is very important to society. The researchers of PSC have made substantial contributions to books intended for politicians and policy makers, and have conducted projects with significant societal groups, such as the Working Group on Justice, Power and Politics, hosted by The Hague Institute for Global Justice, chaired by a PSC researcher.

#### *Research Quality*

Researchers at PSC have moved beyond traditional conceptions of rule of law and have advanced science by publishing high quality research exploring new ways that the rule of law can be understood and pursued in today’s situations of crisis. The multidisciplinary approach is, on the whole, visible, though legal history is far less prominent than it should be, in light of the overall strategy pursued by the group. The PSC has been increasing its publications in high-impact and peer-reviewed journals and books with internationally renowned presses. Its PhD candidates who have already successfully defended their dissertations have been appointed to academic positions.

#### *Viability*

During the assessment period, the PSC did not achieve its target to obtain external funding from NWO or the European Commission. Several applications are pending, two submitted jointly with other universities and one with the Amsterdam Centre for International Law—International Rule of Law (ACIL-IRL). The collaboration with ACIL has now resulted in an invitation for PSC to join with ACIL in a new composite RPA entitled “Law and Justice Across Borders.” Going forward, the merging of the two centres researching Rule of Law into this larger group can foster synergy and also increase the viability of the work of the PSC researchers.

## Appendix A: Curricula vitae of the Committee members

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**Pierre Larouche** (chair) received his basic legal training in Canada, where he clerked for Justice Gonthier of the Supreme Court. After practising EU competition law in Brussels, he joined academia, obtaining his Ph.D. in law at Maastricht University in 2000. He was appointed Professor of Competition Law at Tilburg University (Netherlands) in 2002. In Tilburg, he founded the Tilburg Law and Economics Centre (TILEC), one of the leading European research centres on competition law and economic governance. He also led the creation of the new Global Law Bachelor. Over the years, in addition to Northwestern University, he visited the University of Pennsylvania, the University of Connecticut, National University of Singapore, Sciences Po (Paris) and McGill University. Next to his main appointment, he has also been a Professor at the College of Europe (Bruges) and a Joint Academic Director at the Centre on Regulation in Europe (CERRE). In both his research and his teaching, he seeks to adopt a global perspective on law, looking at the core legal knowledge of which national legal systems are applications and bringing an inter-disciplinary perspective to bear on his work.

**Jeroen M. J. Chorus** graduated at Leiden University (master 1966, doctor cum laude 1976). After holding lecturer posts at Edinburgh, Leiden and Amsterdam Universities he was raised to the bench in 1977. He held the ordinary chair of Roman Law and Legal History at Leiden (1986-1993) and returned to the Amsterdam Court of Appeal, where he served, until 2012, as a Justice and Vice-president, both in the Private Law and Criminal Law Divisions. His present occupation includes both advisory work for Dutch Courts of Appeal and Dutch lawyers and research in Roman Law, Legal History, Comparative Private Law and Civil Procedure. His published scholarly works address themes of these fields of research.

**Hans Micklitz** is professor for Economic Law at the European University Institute, formerly Jean Monnet Chair of Private Law and European Economic Law at the University of Bamberg. Head of the Institute of European and Consumer Law (VIEW) in Bamberg. Studies of law and sociology in Mainz, Lausanne/Geneva (Switzerland), Giessen and Hamburg. Consultancies for OECD in Paris, UNEP Geneva Switzerland/Nairobi Kenya and CI (Consumers International) Den Haag Netherlands/Penang Malaysia. Study visits at the University of Michigan, Ann Arbor, Jean Monnet Fellow at the European University Institute Florence, Italy, visiting professor at the Somerville College at the University of Oxford, co-founder of the Centre of Excellence at the University of Helsinki. Holder of an ERC Grant 2011-2016 on European Regulatory Private Law. Finland Distinguished Professor of the Academy of Finland 2016-2020.

**Margaret Jane (“Peggy”) Radin** is Faculty of Law Distinguished Research Fellow at the University of Toronto. Radin has held chaired professorships at the University of Michigan, Stanford University, and the University of Southern California, and she has also taught at Harvard University, the University of California at Berkeley, New York University, and Princeton University, where she was the inaugural Microsoft Fellow in Law and Public Affairs. Radin is a Fellow of the American Academy of Arts and Sciences and a member of the American Law Institute, where she serves on the Advisory Board for the Restatement 3d of Consumer Contracts. Radin’s award-winning recent book, *Boilerplate: The Fine Print, Vanishing Rights, and the Rule of Law* (Princeton University Press, 2013) explores the problems posed for the legal system by standardized adhesion contracts and how those problems might be ameliorated. Radin also has written two books exploring the problems of propertisation: *Contested Commodities* (Harvard University Press, 1996) and *Reinterpreting Property* (University of Chicago Press, 1993), as well as co-authored a casebook on Internet Commerce.

**Jo Shaw** holds the Salvesen Chair of European Institutions, one of the established chairs at the University of Edinburgh, and has been director of the Institute for Advanced Studies in the Humanities since 2014. Between 2009 and 2014 she was dean of research of the College of Humanities and Social Science of the University of Edinburgh. Her research focuses on citizenship in the broader European context. Before moving to Edinburgh she was professor of European law at the University of Manchester. She is a fellow of the Academy of Social Sciences and the Royal Society of Arts. Since 2001 she has been a Senior Research Fellow at The Federal Trust. She is co-director of the EUDO Citizenship Observatory. She was chair of the University Association for Contemporary European Studies between 2003 and 2006.

**Jan Wouters** is Jean Monnet Chair ad personam EU and Global Governance, Full Professor of International Law and International Organisations, and founding Director of the Institute for International Law and of the Leuven Centre for Global Governance Studies, an interdisciplinary centre of excellence, at the University of Leuven (KU Leuven). In Leuven, he teaches public international law, law of international organisations, the law of the World Trade Organisation, space law and international humanitarian law. As Visiting Professor at Sciences Po (Paris), Luiss University (Rome) and the College of Europe (Bruges) he teaches EU external relations law. As Adjunct Professor at Columbia University he teaches comparative EU-US perspectives on international human rights law. He is a member of the Royal Academy of Belgium for Sciences and Arts, is President of the United Nations Association Flanders Belgium, and practises law as of counsel at Linklaters, Brussels. He is editor of the International Encyclopaedia of Laws: Intergovernmental Organisations, Deputy Director of the Revue belge de droit international, and an editorial board member in ten other international journals. He has published widely on international and EU law, international organisations and global governance.

## Appendix B: Programme of the site visit

Wednesday 23 November		
Time	Part	Collocutors
18.00	Welcome drinks	
19.00 -	Preparation + dinner	Committee only
Thursday 24 November		
Time	Part	Collocutors
09.00 – 9.30	Preparatory meeting	Committee only
9.30 – 10.30	Faculty's management	Prof. André Nollkaemper (Dean) Prof. Marjoleine Zieck (Vice-Dean, Director Graduate School of Law) Prof. Chantal Mak (Director ARILS) Jan Dijk, MSc (Operational Director) Joke de Vries, LL.M., MSc (Executive Secretary to the Board)
10.30 – 10.45	break	
10.45 – 11.15	Research leaders and staff members ACELG	Prof. Christina Eckes (Director ACELG) Nik de Boer, LL.M. Or Brook, LL.M. Dr. Kati Cseres Dr. Maria Weimer
11.15 – 11.45	Research leaders and staff members ACIL-IRL	Prof. Yvonne Donders (Professor of international human rights, former director ACIL) Dr. Denis Abels (UHD criminal law) Dr. Kiki Bröllman (UHD international law) Dr. Maarten den Heijer (UD international law)
11.45 – 12.15	Research leaders and staff members IViR	Prof. Nico van Eijk (Director IViR) Prof. Bernt Hugenholtz (former Director IViR) Sarah Eskens, LL.M. (PhD researcher) Dr. Stef van Gompel (post-doc researcher) Prof. Natali Helberger (professor of Information Law) Dr. Balázs Bodó (senior researcher)
12.15 – 13.30	Lunch	
13.30 – 14.00	Research leaders and staff members ACTL	Prof. Dennis Weber (Director ACTL) Martijn Nouwen, LL.M. Prof. Stef Van Weeghel Prof. Peter Wattel
14.00 – 14.30	Research leaders and staff members CSECL	Prof. Martijn Hesselink (Director CSECL) Karoline Haug, LL.M. Mirthe Jiwa, LL.M. Prof. Marco Loos Prof. Chantal Mak
14.30 – 14.45	break	
14.45 – 15.15	Research leaders and staff members ACIL-LACPO	Prof. Terry Gill (Director LACPO) Jeroen van den Boogaard, LL.M. (PhD candidate LACPO) Prof. Paul Ducheine (Deputy Director LACPO) Cap. Mark Roorda (PhD candidate LACPO) Dr. Kinga Tibori Szabo (Senior Researcher LACPO)
15.15 – 15.45	Research leaders and staff members ACLE	Prof. Giuseppe Dari Mattiacci Guilherme de Oliveira, MSc (PhD) Dr. Jeroen van de Ven (UHD). Prof Adriënne de Moor
15.45 – 16.00	Break	
16.00 – 16.30	Research leaders and staff members HSI	Prof. Evert Verhulp (Director HSI) Eva Grosheide, LL.M.

		Prof. Mies Westerveld
16.30 – 17.00	Research leaders and staff members PSC	Prof. Marc de Wilde (Director PSC) Dr. Nienke Doornbos Dr. Ronald Janse Dr. Roland Pierik Tamar de Waal, LL.M.
17.00 – 18.30	Committee meeting	Committee only
19.00	Dinner	Committee only

Friday 25 November		
Time	Part	Collocutors
09.00 – 09.30	Preparatory meeting	Committee only
09.30 – 10.00	PhD programme leaders	Prof. Marjoleine Zieck Dr. Roland Pierik
10.00 – 10.40	PhD researchers	Sanne Akerboom, LL.M., MSc Or Brook, LL.M. Tjebbe Gerwerdinck, LL.M. Mirthe Jiwa, LL.M. João Pedro Quintais, LL.M. Enrico Partiti LL.M.
10.30 – 11.30	Committee meeting	
11.30 – 12.30	Faculty's management	Prof. André Nollkaemper (Dean) Prof. Marjoleine Zieck (Vice-Dean, Director Graduate School of Law) Prof. Chantal Mak (Director ARILS) Jan Dijk, MSc (Operational Director) Joke de Vries, LL.M., MSc (Executive Secretary to the Board)
12.30 – 13.30	Lunch	
13.30 – 13.45	Meeting	Prof. Leonard Besselink
13.45 – 16.00	Committee meeting, writing draft	Committee only
16.00 – 16.15	Presentation of preliminary results	open
16.15 – 17.00	Closing drinks	

## Appendix C: Quantitative data

*Table 1 Research staff in FTE*

	2009	2010	2011	2012	2013	2014	2015
Scientific staff	48.51	42.28	44.36	43.49	41.41	37.87	36.73
Post-docs	9.09	13.73	13.03	12.21	15.46	17.44	12.48
<b>Total scientific staff and post-docs</b>	<b>57.60</b>	<b>56.01</b>	<b>57.39</b>	<b>55.70</b>	<b>56.87</b>	<b>55.31</b>	<b>49.21</b>
PhD students	40.65	50.65	57.21	66.77	68.62	63.80	54.08
<b>Total research staff</b>	<b>98.25</b>	<b>106.66</b>	<b>114.60</b>	<b>122.47</b>	<b>125.49</b>	<b>119.11</b>	<b>103.29</b>
Support staff	4.79	4.88	5.84	6.08	6.33	6.23	5.90
Visiting fellows	0.25	0.64	0.56	0.04	0.12	0.37	0.73
<b>Total staff</b>	<b>103.29</b>	<b>112.18</b>	<b>121.00</b>	<b>128.59</b>	<b>131.94</b>	<b>125.71</b>	<b>109.92</b>

*Table 2 Main categories of research output*

	2009	2010	2011	2012	2013	2014	2015
Refereed papers (a)	89	98	131	146	196	123	149
Non-refereed papers	73	69	70	89	86	59	62
Books	32	28	43	36	33	31	35
Book chapters	139	141	139	128	164	145	115
PhD theses	9	9	10	13	10	22	23
Conference papers	50	44	41	45	89	105	64
Professional publications (b)	286	299	334	262	388	373	407
Publications aimed at the general public (c)	50	85	38	53	62	107	70
Other research output incl. annotations (d)	486	703	626	742	549	650	672
<b>Total</b>	<b>1214</b>	<b>1476</b>	<b>1432</b>	<b>1614</b>	<b>1577</b>	<b>1615</b>	<b>1597</b>

(a): Articles in journals that are non-refereed, yet deemed important for the field.

(b): Publications aimed at professionals in the public and private sector (professionele publicaties).

(c): Also known as 'populariserende artikelen'.

(d): Other types of research output (if applicable), such as abstracts, patents, editorships, inaugural lectures, designs and prototypes (e.g. engineering) and media appearances, including annotations.

**Table 3 Funding**

Funding:	2009			2010			2011			2012		
	k€	%	fte	k€	%	fte	k€	%	fte	k€	%	fte
Direct funding	5039	64	64.2	5879	64	72.5	5329	56	80.8	5382	46	88
Research grants	1298	16	17.3	1116	12	17.4	1765	19	16.7	2863	24	16.7
Contract grants	769	10	6.2	640	7	6.4	1122	12	7.9	538	5	5.4
Other	768	10	12.4	1578	17	20.3	1302	14	16.1	3028	26	18.4
<b>Total funding</b>	<b>7874</b>	<b>100</b>		<b>9213</b>	<b>100</b>		<b>9518</b>	<b>100</b>		<b>11811</b>	<b>100</b>	
Expenditure:	k€	%	fte	k€	%	fte				k€	%	fte
Personnel costs	7220	92		8352	91		8515	89		10309	87	
Other Costs	654	8		861	9		1003	11		1502	13	
<b>Total expenditure</b>	<b>7854</b>			<b>9213</b>	<b>100</b>		<b>9518</b>	<b>100</b>		<b>11811</b>	<b>100</b>	

Funding:	2013			2014			2015		
	k€	%	fte	k€	%	fte	k€	%	fte
Direct funding	6486	67	94.3	6047	65	87.1	4435	55	66.6
Research grants	1478	15	17.4	1157	12	14.9	1165	14	15.6
Contract grants	239	2	4.3	578	6	8.3	550	7	6.5
Other	1498	15	15.3	1487	16	14.1	1982	24	6.6
<b>Total funding</b>	<b>9701</b>	<b>100</b>		<b>9269</b>	<b>100</b>		<b>8132</b>	<b>100</b>	
Expenditure:	k€	%	fte	k€	%	fte			
Personnel costs	8282	88		8000			6928	85	
Other Costs	1119	12		1269			1204	15	
<b>Total expenditure</b>	<b>9701</b>	<b>100</b>		<b>9269</b>			<b>8132</b>	<b>100</b>	

(a): Direct funding (basisfinanciering / lump-sum budget)

(b): Research grants obtained in national scientific competition (e.g. grants from NWO and the Royal Academy)

(c): Research contracts for specific research projects obtained from external organisations, such as industry, government ministries, European organisations and charitable organisations

(d): Funds that do not fit into the other categories. This post can be seen as a 'miscellaneous' item where all funding other than direct funding, research grants or contract research is booked at the end of each financial year.

**Table 4a PhD candidates - enrollment**

Starting year	Type of contract	Enrolment (male/female)		Total (M+F)
		# male	# female	
2007	Phd 3 yrs	1	1	2
	Regular phd (4 yrs)	2	1	3
	Phd 5 yrs	2	0	2
	Phd 6 yrs	1	0	1
2008	Phd 3 yrs	1	3	4
	Regular phd (4 yrs)	4	9	13
	Phd 5 yrs	0	1	1
2009	Phd 6 yrs	1	2	3
	Phd 3 yrs	1	0	1
	Regular phd (4 yrs)	4	7	11
	Phd 5 yrs	0	1	1
2010	Phd 6 yrs	1	2	3
	Contract Phd	0	1	1
	Phd 3 yrs	0	1	1
	Regular phd (4 yrs)	6	8	14
	Contract Phd	1	2	3
2011	Phd 3 yrs	3	0	3
	Regular phd (4 yrs)	4	8	12
	Phd 5 yrs	1	0	1
	Contract Phd	0	3	3
2012	Phd 3 yrs	1	2	3
	Regular phd (4 yrs)	5	6	11
	Phd 5 yrs	1	0	1
	Phd 6 yrs	2	2	4
	Contract Phd	0	2	2
Total	Phd 3 yrs	7	7	14
	Regular phd (4 yrs)	25	39	64
	Phd 5 yrs	4	2	6
	Phd 6 yrs	5	6	11
	Contract Phd	1	8	9
		<b>42</b>	<b>62</b>	<b>104</b>

**Table 4b PhD candidates – success rates**

Year	Type of contract	Success rates						
		Graduated in year 4 or earlier	Graduated in year 5 or earlier	Graduated in year 6 or earlier	Graduated in year 7 or earlier	Graduated > year 7	Not yet finished on 31/12/2015	Discontinued
2007	PhD 3 yrs	0	0	1	1	NA	NA	NA
	PhD 4 yrs	0	2	0	1	NA	NA	NA
	PhD 5 yrs	0	0	1	0	NA	1	NA
	PhD 6 yrs	0	0	0	1	NA	NA	NA
2008	PhD 3 yrs	1	2	0	0	NA	NA	1
	PhD 4 yrs	0	2	5	1	0	2	3
	PhD 5 yrs	0	0	0	0	1	NA	NA
	PhD 6 yrs	0	0	0	1	NA	NA	2
2009	PhD 3 yrs	0	0	0	0	0	NA	1
	PhD 4 yrs	3	0	0	0	0	6	2
	PhD 5 yrs	0	0	0	0	NA	1	NA
	PhD 6 yrs	0	0	0	0	NA	3	0
	Contract Phd	0	0	1	0	NA	1	NA
2010	PhD 3 yrs	0	0	1	0	NA	NA	NA
	PhD 4 yrs	0	4	1	0	NA	3	6
	Contract Phd	0	0	1	0	NA	1	1
2011	PhD 3 yrs	3	0	0	0	NA	NA	NA
	PhD 4 yrs	0	2	0	0	NA	9	1
	PhD 5 yrs	0	0	0	0	NA	1	NA
	Contract Phd	2	0	0	0	NA	1	NA
2012	PhD 3 yrs	0	0	0	0	NA	3	NA
	PhD 4 yrs	0	0	0	0	NA	11	NA
	PhD 5 yrs	0	0	0	0	NA	1	NA
	PhD 6 yrs	0	0	0	0	NA	3	1
	Contract Phd	0	0	0	0	NA	2	NA
Total	PhD 3 yrs	4	2	2	1	0	3	2
	PhD 4 yrs	0	13	6	2	0	31	12
	PhD 5 yrs	0	0	1	0	NA	4	NA
	PhD 6 yrs	0	0	0	2	0	6	3
	Contract Phd	2	1	0	0	0	5	1
		<b>6</b>	<b>16</b>	<b>9</b>	<b>5</b>	<b>1</b>	<b>49</b>	<b>18</b>

## Appendix D: Explanation of the SEP scores

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Category	Meaning	Research quality	Relevance to society	Viability
1	World leading/ excellent	The research unit has been shown to be one of the few most influential research groups in the world in its particular field	The research unit makes an outstanding contribution to society	The research unit is excellently equipped for the future
2	Very good	The research unit conducts very good. internationally recognised research	The research unit makes a very good contribution to society	The research unit is very well equipped for the future
3	Good	The research unit conducts good research	The research unit makes a good contribution to society	The research unit makes responsible strategic decisions and is therefore well equipped for the future
4	Unsatisfactory	The research unit does not achieve satisfactory results in its field	The research unit does not make a satisfactory contribution to society	The research unit is not adequately equipped for the future